

REMARKS

Favorable reconsideration of this application is respectfully requested. Claim 26 as amended and new claims 29-43 now appear in this application for the examiner's review and reconsideration. Claims 26 and 30 are in independent form and have been written in a manner which more particularly describes and defines the invention. Namely, claims 26 and 30 require the presence of a dimethylacrylamide macromer in the copolymer. No new matter has been entered in presenting the new or amended claims since they have ample support in the specification as originally filed.

Claim 26 was rejected under 35 USC § 112, second paragraph, as being indefinite for the reasons set forth on pages 2 and 3 of the office action.

In response, applicants have amended the term "lactams" to recite, "vinyl substituted lactams." Vinyl substituted lactams are a family of monomers well known to those skilled in the art. A search of the expression "vinyl lactams" in the United States Patent Office database uncovers at least 1083 patents containing the expression "vinyl lactams." For example, US patent numbers 3,949,021, 3,978,163, 6,455,634 and 6,613,857 provide examples of various vinyl substituted lactam monomers. The specific vinyl substituted lactam listed in the specification is meant to be illustrative only and the list is not exhaustive. Further, applicant is required to list a specific vinyl substituted lactam to satisfy the best mode requirement and the examiner is now suggesting that the applicant is limited to claiming only the best mode. Vinyl substituted lactams are a well-recognized and defined class of compounds. When claiming a defined class of compounds, an applicant is not required to list every known member of the class or to try and anticipate additional members of the class that may be identified in the future. Accordingly, the examiner's requirement that the claims be limited to only the specific vinyl substituted lactam listed in the specification is improper and should be withdrawn. With respect to the 35 USC § 112, second paragraph rejection of claim 26 for the term "poly (alkylene oxide)," the specification at pages 13 and 14 describes poly (alkylene oxide) acrylates and methacrylates as including those having a polyethylene oxide group with from 2 to about 100 repeating units, preferably poly (ethylene oxide) or poly (ethylene-propylene oxide). Therefore

the examiner's suggestion that there is no disclosure other than methoxypolyoxyethylene methacrylates having ethylenic unsaturation which addition polymerizes with the azlactone-functional monomer is incorrect. Therefore this aspect of the rejection should be withdrawn.

Claim 26 was rejected under 35 USC § 102(b) for anticipation by US Patent No. 5,352,714 and European Patent No. 392,735 for the reasons set forth on pages 3 and 4 of the office action. The amendment of claim 26 to require a dimethylacrylamide macromer as a component of the claimed copolymer obviates this rejection. Neither of the references cited as anticipating the claimed subject matter disclose a copolymer comprising a dimethylacrylamide macromer as set forth in amended claim 26 and new claims 29-43. U.S. Patent No. 5,352,714 is cited as disclosing a copolymer comprising 30 parts by weight of N,N-dimethylacrylamide and 5 parts by weight of 2-vinyl-4,4-dimethyl-2-oxazoline-5-one and European Patent No. 392,735 is cited as disclosing a copolymer prepared from 55.4 mole percent of methylene-bisacrylamide and 44.6 mole percent of 2-vinyl-4,4-dimethylazlactone. The monomers of the cited references are not dimethylacrylamide macromers as set forth in each of the pending claims. Therefore the rejection of claim 26 for anticipation should be withdrawn.

Claim 26 has also been rejected under 35 USC § 103(b) as obvious over US Patent No. 4,695,608 and European Patent No. 338,656 for the reasons set forth on pages 5 and 6 of the office action. Neither of these references teach or suggest a copolymer comprising dimethylmethacrylate macromonomers. U.S. Patent No. 4,695,608 is cited as disclosing a copolymer of isooctylacrylate, 10% by weight of acrylic acid and 4% by weight of 2-ethenyl-4,4-dimethyl-1,3-oxazolin-5-one. European Patent No. 338,656 is cited as disclosing a copolymer derived from 2% by weight of ethylene glycol dimethacrylate and 3-5% by weight of 2-vinyl-4,4-dimethyl-2-oxazolin-5-one. The monomers of the cited references do not teach or suggest dimethylacrylamide macromers as set forth in each of the pending claims. Therefore the rejection of claim 26 for obviousness should be withdrawn.

Accordingly, it is believed that all claims are now in condition for allowance, early notice of which would be appreciated. The Examiner is invited to contact the undersigned to resolve any remaining issues.

Respectfully submitted,



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Dated: September 2, 2003

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